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To: jstern@hardtstern.com  
cc: ROSAURO DELROSARIO/R5/USEPA/US@EPA, Thomas  
Krueger/R5/USEPA/US@EPA  
Subject: Joe Madden property access

John,

Thank you for providing your proposed revisions so quickly. I'm attaching a counter-version for your review. The changes I have made are:

- 1) removed referenced to Illinois EPA. It is my understanding that they are not involved in this stage of the sampling. Especially because their insurance issues are even more convoluted than EPA's, it's not worth the trouble.
- 2) as we discussed EPA cannot legally agree to indemnify or hold harmless. I have made slight modifications to the language you drafted on the alternative approach -- naming Madden Family Partnerships as an additional insured on EPA's contractor's policy.
- 3) reference to consent by the tenant has been modified somewhat -- I am anticipating we will get that consent in a letter from their counsel rather than a signature on this same form. That will help expedite matters.

Please let me know if the attached version is acceptable.

Tom Krueger  
U.S. EPA



Consent for Access to Property.rev1.wpd